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REPORTS, CONCLUSIONS AND RECOMMENDATIONS OF SUBSIDIARY BODIES: HUMAN RIGHTS QUESTIONS

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

Report of the Secretary-General

SUMMARY

By its resolution 48/91 of 20 December 1993, the General Assembly proclaimed the Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and adopted the Programme of Action for the Third Decade.

At its forty-ninth session, the General Assembly revised the Programme of Action and adopted resolution 49/146, in which it requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination, as well as on information received by the United Nations High Commissioner/Centre for Human Rights on the activities undertaken or envisaged by Governments, intergovernmental and non-governmental organizations within the framework of the Third Decade to Combat Racism and Racial Discrimination. The present report has been prepared in response to the request of the General Assembly.

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INTRODUCTION

1. The present report is submitted in accordance with paragraph 20 of General Assembly resolution 51/81, in which the Assembly requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination.

2. In the same resolution, the General Assembly invited all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade to Combat Racism and Racial Discrimination, in accordance with the revised Programme of Action for the Third Decade (1993-2003), which was adopted by the General Assembly in its resolution 49/146.

3. Also in the same resolution, the Assembly invited the Commission on Human Rights to consider at its fifty-third session as a matter of priority the question of a possible world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance, and to make appropriate recommendations through the Economic and Social Council to the General Assembly at its fifty-second session.

4. The present report contains information on the implementation of the Programme of Action by United Nations bodies and specialized agencies as well as information from Governments and non-governmental organizations.

I. IMPLEMENTATION OF THE PROGRAMME OF ACTION WITHIN THE UNITED NATIONS SYSTEM

A. Commission on Human Rights

5. At its fifty-third session, the Commission on Human Rights discussed the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. By its resolution 1997/73, the Commission categorically condemned any role played by some print, audiovisual or electronic media in inciting acts of violence motivated by racial hatred and, welcoming the designation of 1997 by the European Union as European Year against Racism, recommended that States give priority to education as a principal means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, particularly among young people, and to the training of law-enforcement personnel, inter alia, through the promotion of tolerance and respect for cultural diversity.

6. The Commission, in its resolution 1997/74, recommended that the General Assembly consider all ways and means of financing the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination including financing through the United Nations regular budget.

7. The Commission requested the United Nations High Commissioner for Human Rights to take duly into account, within the framework of the restructuring of the Centre for Human Rights, the repeated appeals of the General Assembly and the Economic and Social Council for the establishment of a mechanism within the Centre as a focal point for coordinating all the relevant programmes before they are carried out by the United Nations.

8. The Commission welcomed the convening, from 9 to 13 September 1996 in Geneva, of the United Nations seminar to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, with particular reference to articles 4 and 6, and took note of its conclusions and recommendations (E/CN.4/1997/68/Add.1, paras. 121-123).

9. The Commission also welcomed the publication by the Centre for Human Rights, Model National Legislation for the Guidance of Governments in the Enactment of Further Legislation against Racial Discrimination (HR/PUB/96/2), and invited Governments to take account of it in promulgating new laws against racial discrimination.

10. The Commission decided to recommend to the General Assembly, through the Economic and Social Council, the convening of a world conference on racism and racial discrimination not later than the year 2001, whose main objectives would be:

(a) To review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, particularly since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways of overcoming them;

(b) To consider ways and means to better ensure the application of existing standards and the implementation measures to combat racism, racial discrimination, xenophobia and related intolerance;

(c) To increase the level of awareness about the scourge of racism and racial discrimination, xenophobia and related intolerance;

(d) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

(e) To review the political, historic, economic, social, cultural and any other factors leading to racism, racial discrimination, xenophobia and related intolerance;

(f) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

(g) To draw up concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its action to combat racism, racial discrimination, xenophobia and related intolerance.

11. It was also recommended that the General Assembly, through the Economic and Social Council, decide that the Commission on Human Rights should act as the preparatory committee for the world conference, which should be open-ended, allowing for the full participation of all States Members of the United Nations and members of the specialized agencies, and the participation of observers, in accordance with established practice, and that it decide to request Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations concerned with human rights, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as other human rights mechanisms, to assist the preparatory committee and to undertake reviews and submit recommendations concerning the conference and the preparations therefore to the preparatory committee through the Secretary-General and to participate actively in the conference.

12. The Commission finally recommended to the General Assembly, through the Economic and Social Council, to call upon States and regional organizations to hold national or regional meetings or to take other initiatives in preparation for the world conference, and to request regional preparatory meetings to submit reports to the preparatory committee, through the Secretary-General, on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and related intolerance.

B. Committee on the Elimination of Racial Discrimination

13. At its forty-ninth session, the Committee on the Elimination of Racial Discrimination held a joint meeting with the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights. It was proposed to undertake a joint study on article 7 of the International Convention on the Elimination of Racial Discrimination. It was also suggested that this activity be linked with the training courses and studies on education to be carried out in the framework of the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, since both issues were closely interrelated. Finally, it was decided to assign two members from each body to prepare a working paper (without financial implications) and that the Centre for Human Rights would act as the coordinating body.

14. The Committee continues to believe that increased effectiveness in its task of examining the periodic reports submitted by States parties would constitute an important contribution to the Third Decade. It has accordingly continued to develop the procedure whereby, with regard to countries the reports of which are seriously overdue, it proceeds to an examination of the situation in that country based on the last report submitted. It is the experience of the Committee that bringing States parties into this review procedure is increasingly resulting in the submission of outstanding reports.

C. International Day for the Elimination of Racial Discrimination

15. The commemoration of the International Day for the Elimination of Racial Discrimination was organized on 21 March 1997 by the United Nations Information Service, in cooperation with the Centre for Human Rights. Trenchant issues were addressed by the Secretary-General and the personalities who participated in a round table on the topic "Combating racism against immigrants". In his message, the Secretary-General highlighted the fact that it was essential for the international community to continue its efforts to combat racism and racial discrimination with renewed dedication and commitment.

16. The Secretary-General emphasized that much remained to be done since the vast political and technological changes that had occurred around the globe had brought with them economic and social uncertainty. He considered that racism and racial discrimination continued to divide people and nations and therefore the international community should reconfirm its intention to eradicate all forms of discrimination as it did during the World Conference on Human Rights in Vienna in 1993.

17. The round-table discussion was led by Mrs. Thérèse Gastaut, Director of the United Nations Information Service. The members of the panel were Mr. Vladimir Petrovsky, Director-General of United Nations Office at Geneva; Ambassador Miroslav Somol of the Czech Republic, Chairman of the fifty-third session of the Commission on Human Rights; Mr. Michael Sherifis, member of the Committee on the Elimination of Racial Discrimination; Ambassador Stéphane Hessel of France; and Mr. Adama Dieng, Secretary-General of the International Commission of Jurists.

18. Representatives of the diplomatic corps accredited to the United Nations Office at Geneva and representatives of non-governmental organizations participated in the round table.

D. Activities undertaken by the United Nations High Commissioner for Human Rights/Centre for Human Rights, in accordance with the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

19. The United Nations High Commissioner for Human Rights/Centre for Human Rights organized a seminar from 9 to 13 September 1996 to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, with particular reference to articles 4 and 6 (see E/CN.4/1997/68/Add.1).

20. A seminar on immigration, racism and racial discrimination with the purpose of examining the various kinds of racism and racial discrimination that immigrants are facing at the time being, was convened at the United Nations Office at Geneva from 5 to 9 May 1997. The following topics were considered by the seminar: globalization and immigration; contemporary forms and manifestations of racism and racial discrimination against immigrants; international protection of immigrants; national protection of immigrants;

protection of immigrants against discrimination in access to employment (activities of the International Labour Organization (ILO)); non-discrimination against immigrants in entry and residence matters; integration and/or preservation of immigrants' cultural identities in the host country.

21. The Seminar concluded, inter alia, that immigration should be perceived as a positive phenomenon, the question of migration being inseparable from the current process of economic globalization. The Seminar pointed out the fundamental contradiction between the increasing restrictions to individual mobility and the free flow of goods and services as encouraged by transnational corporations and international financial institutions. The Seminar recommended, inter alia, that States should accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as well as the relevant ILO conventions, including Conventions Nos. 97 and 143. A worldwide information, education and promotion campaign to bring into force the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is called for. The United Nations High Commissioner for the Human Rights/Centre for Human Rights should serve as facilitator. The report of the Seminar will be made available to the Council.

E. Activities of United Nations bodies and specialized agencies

1. United Nation Centre for Human Settlements (Habitat)

22. The United Nations Conference on Human Settlements (Habitat II) (Istanbul, June 1996) adopted the Habitat Agenda in which the issue of racial discrimination was addressed. It was stated, inter alia, that:

> "Equitable human settlements are those in which all people, without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, have equal access to housing, infrastructure, health services, adequate food and water, education and open spaces. In addition, such human settlements provide equal opportunity for a productive and freely chosen livelihood; equal access to economic resources, including the right to inheritance, the ownership of land and other property, credit, natural resources and appropriate technologies; equal opportunity for personal, spiritual, religious, cultural and social development; equal opportunity for participation in public decision-making; equal rights and obligations with regard to the conservation and use of natural and cultural resources; and equal access to mechanisms to ensure that rights are not violated. The empowerment of women and their full participation on the basis of equality in all spheres of society, whether rural or urban, are fundamental to sustainable human settlements development" (A/CONF.165/14, chap. I, para. 27).

> "Human health and quality of life are at the centre of the effort to develop sustainable human settlements. We therefore commit ourselves to promoting and attaining the goals of universal and equal access to quality education, the highest attainable standard of physical, mental and environmental health, and the equal access of all to primary health care,

making particular efforts to rectify inequalities relating to social and economic conditions, including housing, without distinction as to race, national origin, gender, age, or disability, respecting and promoting our common and particular cultures" (A/CONF.165/14, chap. I, para. 36).

2. United Nations International Research and Training Institute for the Advancement of Women (INSTRAW)

23. INSTRAW is currently preparing a manual for training personnel who receive victims of gender-based violence. The manual notes the specific situation of women who are also victims of racial violence and therefore suffer double discrimination.

24. INSTRAW welcomed the possibility of a world conference to combat racism, racial discrimination, xenophobia and related forms of intolerance being held. Such a conference should include consideration of the double discrimination suffered by many women worldwide who are victims of discrimination due to their gender as well as to their race. It was hoped that such a conference would promote actions to help women who are victims of gender and racial discrimination.

3. United Nations Environment Programme (UNEP)

25. UNEP reported that issues relating to indigenous peoples figured prominently in the discussions at the United Nations Conference on Environment and Development and in the agreements that came out of that Conference: the Rio Declaration on Environment and Development, Agenda 21, the Convention on Biological Diversity and the Forest Principles. The underlying factors in this significant legitimization of the importance of indigenous knowledge and participation can be traced back to the emphasis on local participation in decision-making at the negotiations, the pervasive notion of interdependence and the work done by the many indigenous groups that participated in these international negotiations.

26. Indigenous peoples concerns are addressed in several sections of the Convention on Biological Diversity, but the most explicit statement is contained in article 8 (j): Each Contracting Party shall, as far as possible and as appropriate, "subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices".

27. In accordance with the spirit of this article, UNEP, in the context of its role as an implementing agency of the Global Environment Facility (GEF), convened a consultative meeting with indigenous and local community representatives to contribute to the initiation of a process that will foster a bottom-up approach in implementation of article 8 (j) of the Convention. The

meeting provided a forum for dialogue between UNEP/GEF and indigenous and local communities to understand better their needs, and produced a list of project ideas addressing areas of concern where GEF could assist them to contribute actively to the implementation of article 8 (j) of the Convention. The achievements of the meeting will serve as an input to the organization of the regional workshops under a GEF-approved grant supporting implementation of article 8 (j) of the Convention.

4. International Labour Organization (ILO)

28. ILO reported that it would be glad to examine how it could best contribute to a possible world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance, with a view in particular to highlighting the contribution that the ratification and implementation of the ILO fundamental human rights standards can make in this area. ILO has also acquired practical experience in this field. In Guatemala, ILO has been working with the United Nations to contribute to peacekeeping and peace-building in a racially charged situation.

29. As mentioned in the report of the Secretary-General (A/51/536), the Special Survey on the Convention (No. 111) concerning Discrimination in respect of Employment and Occupation has recently been examined by the Conference Committee on the Application of Standards. The purpose of Convention No. 111 is to protect all persons against discrimination in employment or occupation on the basis of, inter alia, race, religion, national extraction and social origin, with the possibility of extending its protection to discrimination on the basis of other criteria.

30. With a view to clarifying the content and scope of ILO Convention No. 111, the Special Survey notes that the term "race" or "racism" is often used to refer to linguistic communities or minorities whose identity is based on religious or cultural characteristics or even on national extraction. The concept of national extraction refers to distinctions between the citizens of the same country on the basis of a person's place of birth, ancestry or foreign origin. It thus allows discrimination to be directed against persons who are nationals of the country in question but who have acquired their citizenship by naturalization or who are descendants of foreign immigrants or persons belonging to groups of different national extraction living in the same State. With reference to religious considerations, discrimination often arises from an absence of religious belief or from belief in different ethical principles, from a lack of religious freedom, or from intolerance. Finally, racial discrimination may also be based on social origin, especially in societies where classes or castes determine an individual's opportunities in employment and occupation.

31. In the Convention, "employment" and "occupation" include access to vocational training, to employment and to particular occupations, and to the terms and conditions of employment. In particular, no discrimination in respect of hiring, training, advancing or retaining a worker in employment or the fixing of terms and conditions of employment should be practised or countenanced by employers.

32. Special measures designed to meet the particular requirements of certain persons are provided for under article 5, paragraph 2, of the Conventions. Measures adopted for ethnic minorities and other social groups, are designed, inter alia, to guarantee to indigenous and tribal peoples and to ethnic minorities especially favourable treatment as regards access to educational facilities and employment in the public or private sector. Such protective measures may assume a variety of forms, such as quotas which guarantee rights on a proportional basis on, in some cases, special education, training and employment programmes which are provided without fixed quotas, in order to enhance the prospects of persons belonging to minorities of entering and remaining in the labour market.

33. In the conclusions of the report of the International Labour Conference at its eighty-third session, it was noted that race and colour, national extraction, religion, social origin and political opinion were decisive grounds of discrimination when society was in the throes of political and economic upheaval and transformation. In some countries, the levels of unemployment of ethnic minorities had soared abruptly, and during periods of economic recession minorities and other disadvantaged groups have encountered greater difficulties on the labour market than others. The Committee of Experts on the Application of Conventions and Recommendations called on Member States that had not yet ratified the Convention to do so and on those that had made it part of their international obligations to do everything possible to apply its principles in both letter and spirit.

34. With regard to suggestions for broadening the protection provided by ILO Convention No. 111, the Committee recommended that the Governing Body and the International Labour Conference consider the adoption of an additional protocol to the Convention which would extend the prohibited grounds of discrimination. The Committee suggested that the criteria might include, inter alia, language and nationality. The Committee also proposed including in the protocol a provision that, in cases of discrimination, the burden of proof that the disadvantageous treatment is not based on any of the prohibited grounds should be placed on the person against whom discrimination is alleged, where the complaint has produced plausible or prima facie evidence of discrimination.

5. Department of Public Information

35. The Department of Public Information of the United Nations Secretariat is emphasizing the work of the United Nations in the field of human rights in its information programmes and activities. They consist of print promotional material, radio and television programmes, film, photos and exhibits; press coverage of intergovernmental meetings on human rights issues; press conferences and briefings; liaising with the media organizing special events and other activities; and collaborating with non-governmental organizations.

36. The promotional materials produced by the Department are mainly aimed at the news media, non-governmental organizations, government officials, policy makers, students and educators. Information is also channelled to the general public through non-governmental organizations, including educational and cultural institutions, religious organizations and others.

37. To highlight the activities of the Organization, the Department launches information programmes on specific themes. Information on the role of the Organization and its activities is also disseminated through radio and television programmes which are produced regularly by the Department in a variety of languages and are broadcast by national radio and television stations around the world. For instance, since the beginning of the Decade, the United Nations radio station has produced more than 50 programmes and featurettes on racial discrimination in the six official languages of the United Nations and in non-official languages such as Bangla, Chinese, Dutch, Hindi, Indonesian, Kiswahili, Portuguese, Turkish and Urdu. Radio documentaries will be produced throughout the Decade, as part of the regular 15-minute weekly radio series that the Department produces in 15 languages.

38. Several "UN in Action" television programmes, produced in English by the Department for the CNN World Report (and in additional languages for wider distribution), have featured issues related to human rights. The CNN programmes are broadcast in more than 120 countries.

39. The Department network of 68 United Nations Information Centres and Services and eight United Nations Offices have been instrumental in promoting the objectives of the Third International Decade to Combat Racism and Racial Discrimination. The Centres and Services are very active in disseminating and producing relevant materials from Headquarters. They also organize or co-sponsor events, meetings, public gatherings and briefings; participate in seminars, workshops, panels and lectures; and give interviews to the media.

40. Throughout the Decade, the Department will continue to provide press, radio and television coverage of the Commission on Human Rights and its subsidiary bodies and to give special attention to issues concerning racism in its ongoing coverage and promotional activities.

II. GOVERNMENTS

Turkey

41. The Government of Turkey attaches great importance to endeavours for the revision of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, with a view to making it more effective and action-oriented. Turkey observes with dismay and concern that the Third Decade may be a failure, as were the first two Decades, despite the fact that human beings continue increasingly to be victims of new and subtle forms of racism. Needless to say, if that happens, it will be a significant setback for the United Nations in an important field of human rights.

42. Turkey supports each and every element of General Assembly resolution 51/81, just as it has supported the previous resolutions on the same theme, both in the Commission and the General Assembly. On the other hand, it deplores the fact that only two seminars have been held so far, whereas the Programme of Action envisages more than 10 within the framework of the Third Decade, with the purposes of setting new standards, devising new measures and raising awareness of international public opinion.

43. Turkey supports the idea of holding a third world conference on racism. It might prove instrumental not only to much needed awareness-raising but also to reviewing progress made in the fight against racism, to assessing the effectiveness of the methods used so far and, if need be, to developing new standards and instruments. The world conference could therefore provide an impetus for the Third Decade.

44. The Government of Turkey also reports that the resurgence of racism, xenophobia and intolerance in their new and subtle forms continues to present a permanent challenge to respect for the most fundamental human rights and freedoms. Contemporary forms of racism constitute a major threat to peace and harmony in many societies, especially those in Europe. The proliferation of racism since the 1980s has not necessarily followed the same pattern as the racism of earlier decades. After the collapse of apartheid, racism is no longer manifest in official policies but it is in the midst of multicultural societies and before the eyes of Governments. In the contemporary world, racism, in its broader sense also covering still prevalent xenophobia, presents itself as a malignant state of mind, an ailing psychology, whereby one human being despises and maltreats another one of his kind without any reason except physical difference.

45. Today, the generic term "racism" covers a wide range of situations which, broadly speaking, can be identified as follows:

(a) Isolated instances of interpersonal racist violence or harassment;

(b) Interpersonal discriminatory practices in various spheres (employment, housing, education, health etc.);

(c) Discrimination, incitement to racist hatred and/or violence through print, audio-visual or electronic media;

(d) Organized racist violence and harassment (political parties, militant racist groups, paramilitary gangs);

(e) Discriminatory practices by public officials;

(f) Harassment or violence by public officials;

(g) Discriminatory clauses in legislation.

46. This classification is not and never will be exhaustive, since racism is an evolving phenomenon which successfully adapts itself to the changing environment. Racism is even able to present itself as a defender of human rights under the cloak of "cultural relativism".

47. At the international level, the International Convention on the Elimination of All Forms of Racial Discrimination continues to be the only major instrument that seeks to create a methodology and an institution to fight collectively against racism. However important the Convention may be, the Government of Turkey is of the opinion that it is no longer capable of responding to the exigencies created by today's racism. The historical and political context in

which the Committee on the Elimination of Racial Discrimination was drawn up gave prominence to official policies of racial discrimination and segregation pursued by certain States which had emerged from the process of decolonization in southern Africa. Therefore, the provisions of the Committee do not coincide with the concerns observed in the fight against more contemporary forms of racism, particularly in Europe today. More especially, where manifestations of racism against foreigners are concerned, the Committee is completely lacking in authority. Racism in southern Africa was directed against indigenous populations, whereas racism in Europe emerges as a movement against foreigners. Moreover, the number of States that have accepted the provisions of article 14 is very small, and the number of cases brought to a conclusion through the supervision system is negligible.

48. At the present time, the international community should look into developing new measures to combat the current manifestations of racism and concentrate on developing medium and long-term plans to ensure that racism will be deprived of an environment where it can prosper and spread.

49. The Government of Turkey views the work of the Special Rapporteur as pertinent and useful. He courageously touches upon the roots of problems which find their strength in societies. Therefore, his recommendations and conclusions should receive serious attention on the part of Governments. They should be taken as guidelines for corrective efforts. The Special Rapporteur eloquently underlines, in his reports, the fact that migrant workers and members of their families are the main target group for today's racism. He also points out that in States where racism continues to gain strength against that vulnerable group, it is mainly the Governments which are responsible. Harsh and discriminatory governmental immigration policies sustain racism. The reluctance of a Government to integrate immigrants into mainstream society - including those who have been living for generations in the country and whose offspring live in a social and cultural vacuum - means that those people continue to be considered unwanted aliens who impair social peace and harmony through their own way of living. It is thus unfortunate that the Government of a European country can still think of requiring a special visa for the children of migrant workers, which may lead to inhuman, tragic results such as the separation of parents from their children.

50. The Special Rapporteur underscored the need for corrective action against incitement to racial hatred and violence in print, audio-visual and electronic media. At this point a question arises as to the limits of freedom of opinion and expression. Will that freedom cover "hate speech"? In the opinion of the Government of Turkey, the dissemination of ideas based upon racial superiority or racial hatred must be lawfully restricted. The Government of Turkey believes that the Commission on Human Rights must pay special attention to that aspect of racism in the future.

III. INTERGOVERNMENTAL ORGANIZATIONS

European Union

51. The European Union proclaimed 1997 "European Year Against Racism", as a follow-up to the "all different, all equal" campaign of the Council of Europe, which was observed throughout Europe.

52. The main goal of the European Year was to raise awareness of the danger that racism presented for society and to highlight positive measures for overcoming it. Six objectives were set for the Year: to highlight the threat to basic human rights and economic cohesion posed by racism, xenophobia and anti-semitism; to encourage thought and debate on how to combat racism; to promote an exchange of experiences, best practice and effective strategies developed at all levels of society to combat racism; to distribute information on good practice and effective strategies among anti-racism organizations in order to increase their efficiency; to make national integration policies understood, in particular in the areas of employment, education, training and housing; and finally, to draw on the experiences of those affected by racism and to promote their involvement in society.

53. The official opening conference of the European Year Against Racism took place in The Hague on 30 and 31 January 1997. A variety of activities would take place in the member States of the EU and at the European level, ranging from grass-roots projects to regional initiatives, national campaigns and high profile events.

IV. NON-GOVERNMENTAL ORGANIZATIONS

A. International Movement Against all forms of Discrimination and Racism

54. The International Movement Against all forms of Discrimination and Racism (IMADR) stated that it shared the concern of the United Nations at the growing evil of racism and racial discrimination around the world and recognized in that regard the importance of the Third Decade to Combat Racism and Racial Discrimination, which had begun in 1993. IMADR welcomed a number of the requests made by the General Assembly in its resolution 51/81 and wished to make the following comments relating to the text of the resolution.

55. IMADR noted with approval that the General Assembly paid particular attention to the situation of migrant workers, the children of minorities - in particular, those of migrant workers - and indigenous peoples. However, it was regrettable that no reference was made to the situation of female migrant workers, who suffered multiple discrimination based on sex and national or ethnic origin and very often lacked adequate legal status in the host countries. Among them, a great number of trafficked women and girls were often treated as criminals by the governmental authorities, in disregard of their rights. IMADR would like to point out that the factors which encouraged trafficking in women for prostitution included all kinds of discriminatory practices and attitudes in the contemporary international community. Gender discrimination was often

practised against specific social groups, such as migrant workers, especially undocumented "illegal" workers coming from "poor" countries, including indigenous women. Cultures where women of weaker social groups were exposed to the covert violence of men of stronger social groups could be called patriarchal and racist.

56. The International Convention on the Elimination of All Forms of Racial Discrimination was an important normative document for the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination. In implementing the Convention and the Programme of Action at the domestic level, national institutions and national and local non-governmental organizations had a crucial role to play. The General Assembly should invite not only interested non-governmental organizations in consultative status with the Economic and Social Council but all such organizations at the international and national levels, including national human rights institutions, to participate in the Third Decade. That practice had been adopted by the United Nations on the occasion of the World Conference on Human Rights and other world conferences and summits.

57. It remained absolutely necessary for States to accept and implement international standards to combat racism and racial discrimination and fully cooperate with the international supervisory mechanisms. Although the Convention had been ratified by 148 States Parties, the number of acceptances of article 14, which allowed individuals or groups of individuals alleging violations of their rights under the Convention to submit petitions to the Committee on the Elimination of Racial Discrimination, was only 23. During the Third Decade, priority attention must be given to the goal of substantially increasing the number of acceptances of article 14. Equally, special efforts must be made to increase the number of ratifications of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families so that it would enter into force during the current Decade.

B. National Association of Women Lawyers

58. The National Association of Women Lawyers (NAWL) considered that a world conference on racism would provide an excellent opportunity for the international community to focus constructive attention on the pressing issues of racial discrimination and xenophobia in all of their forms.

59. In that perspective, it was imperative that special attention be paid to the situation of indigenous peoples in the implementation of the Programme of Action for the Third Decade to Combat Racism. While racism in any form was abhorrent, it was clear that indigenous peoples often suffered disproportionately as a result of their lack of political power. Such discrimination had especially destructive effects in communities that had suffered cultural destruction. Often such discrimination led to the deprivation of peoples' most fundamental legal rights.

60. NAWL also believed that international monitoring of racial discrimination should be made a priority, particularly in areas inhabited by indigenous peoples

and where peoples were living under foreign occupation or under armed conflict or other forms of conflict.

C. International Young Christian Workers

61. International Young Christian Workers (IYCW) drew attention to actions aimed at protecting workers' rights and those workers who had experienced economic discrimination. The international community had a moral duty to educate people continuously on the issue in order to avoid violence in the future. IYCW, in various countries, was conducting small local campaigns by publishing and distributing posters, organizing small group discussions, erasing racist slogans on the street and walls, participating in debates defending the rights of people who were discriminated against and explaining the root causes of the problem, among other things.

D. International Progress Organization

62. The International Progress Organization attributed special importance to the convening of a world conference to combat racism. It reported that such a conference should be organized on a smaller scale than previous world conferences of the United Nations system. Topics should be defined precisely; an analytical approach should be sought before political programmes and declarations were written. Non-governmental organizations should be involved in the preparations in a more creative and systematic manner than was the case for the World Conference on Human Rights.

E. World Federation of Democratic Youth

63. In commemoration of International Day for the Elimination of Racial Discrimination (21 March 1997), the NGO Subcommittee on Racism, Racial Discrimination and Decolonization organized an Open Forum. The Forum was organized in the Palais des Nations, Geneva, where the fifty-third session of the Commission on Human Rights was being held. A large number of representatives of Governments, United Nations bodies and non-governmental organizations participated in the Forum. The day was observed by lively discussion on two topics:

(a) The proposed world conference against racism (2001);

(b) European Year Against Racism (1997).

64. During the discussion, a worldwide campaign in favour of the proposed world conference was called for. It was suggested that the campaign be launched to collect signatures from non-governmental organizations calling for the convening of the world conference as soon as possible.

65. The fundamental question to be answered is How will Member States of the United Nations and the organizations of civil society discharge the obligations conferred on them by the Charter of the United Nations? A number of

international instruments to combat racism, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Decade to Combat Racism and Racial Discrimination, the International Day for the Elimination of Racial Discrimination etc. had been established. The expected results had yet to be achieved. On the contrary, in the name of freedom of speech and association, racist ideas were increasingly propagated. In a growing number of countries, political parties with racist and chauvinist ideologies were gaining seats in the legislative and administrative bodies of government. Acts of racially motivated violence were multiplying disturbingly.

66. As a conclusion, it was agreed that the celebration of International Day for the Elimination of Racial Discrimination was a reminder to all actors in the field of human rights of the serious dangers posed by the evil phenomenon of racism in all its forms to the well-being of all societies and to the satisfactory enjoyment of basic human rights.

V. STATUS OF THE TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

67. In paragraph 23 of General Assembly resolution 51/81, the General Assembly strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme of Action and requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions.

68. The Trust Fund for the Programme of Action is a continuation of the Fund established in 1973 by the General Assembly in application of paragraph 17 of the Programme of Action for the First Decade (contained in the annex to General Assembly resolution 3057 (XXVIII) of 2 November 1973) and re-established in 1983 in the framework of the Programme of Action for the Second Decade (contained in the annex to General Assembly resolution 38/14 of 22 November 1983).

69. The contributions made by the international community to the Fund have remained below the levels hoped for. Therefore very few of the activities planned for the 1994-1997 period were carried out. With the resources available, the High Commissioner/Centre for Human Rights will strive to carry out the projected activities. The current status of the Fund is reflected in annex I.

VI. CONCLUSIONS

70. The contributions made by the various United Nations bodies and organizations, Governments, intergovernmental organizations and non-governmental organizations to the work of the Third Decade to Combat Racism and Racial Discrimination continue to reflect global and concerted efforts to address the issues and provide long-lasting solutions.

71. Judging by the communications received by the Secretary-General and the deliberations of the Commission on Human Rights at its fifty-third session,

there is strong support for the holding of a world conference on racism, racial discrimination, xenophobia and related intolerance. It appeared that the States Members of the United Nations, as well as the non-governmental and other organizations, had mobilized themselves to provide an impetus for the fight against racism and racial discrimination.

72. The idea of holding a third world conference on racism, racial discrimination, xenophobia and related intolerance might also create an opportunity to provide an impetus for the forthcoming activities to be undertaken through the Third Decade to Combat Racism and Racial Discrimination. To that end, the following recommendations made by the Commission on Human Rights are reiterated:

(a) Consideration should be given to deciding the agenda of the world conference on racism, racial discrimination, xenophobia and related intolerance in the light of the need to address in a comprehensive manner all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance;

(b) The world conference on racism, racial discrimination, xenophobia and related intolerance should be action-oriented and focus on practical measures to eradicate racism, taking into full consideration the existing human rights instruments;

(c) The Commission on Human Rights should act as the preparatory committee for the world conference on racism, racial discrimination, xenophobia and related intolerance, and Governments, the specialized agencies, international, non-governmental and regional organizations, and United Nations bodies should assist the preparatory committee and submit recommendations to it.

73. The High Commissioner/Centre for Human Rights should give priority - the availability of financial and human resources permitting - to organizing a seminar on the right to equality before the courts and other judicial institutions, including the right to compensation for injuries suffered as a result of discrimination. Another seminar on the role and responsibility of the mass media in combating racism, with particular reference to the situation of immigrants and their family members, should also be given priority, in line with the Programme of Action.

Annex I

STATUS OF THE TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Provisional statement of income and expenditure and changes in reserves and fund balances for the biennium ended 31 December 1996

(United States dollars)

Income		15 231
TOTAL INCOME		15 231
Expenditure		
Excess (shortfall) of income over expenditure		15 231
RESERVES AND FUND BALANCES BEGINNING OF PERIOD	220 202	
RESERVES AND FUND BALANCES END OF PERIOD		235 433

Provisional statement of assets, liabilities, reserves and fund balances as at 31 December 1996

Assets		
Cash and term deposits		233 670
Other accounts receivable		1 763
TOTAL ASSETS		235 433
Liabilities		
Reserves and fund balances		
Cumulative surplus (deficit)	235 433	
TOTAL RESERVES AND FUND BALANCES		235 433
TOTAL LIABILITIES, RESERVES AND FUND BALANCES		235 433

Contributions received from Governments since the establishment of the Trust Fund up to 31 May 1997[a]

(United States dollars)

Country	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Austria	..	1 000	..	..	..	..	..	5 000	..	..	..	..
Bahamas	..	..	500	500	..	..	..	..	..	..	..	..
Bangladesh	..	..	1 000	..	..	..	..	448.85	..	..	..	..
Belgium	1 500	..	..	..	..	..	..	..	..	..	..	..
Cameroon	..	2 711	..	..	906	..	..	..	..	..	..	..
Canada	..	2 000	..	..	..	..	..	..	..	..	..	..
China	..	..	10 000	..	..	..	..	..	..	..	..	..
Denmark	8 000	..	..	..	..	..	..	..	..	..	..	..
Dominica	..	..	..	..	..	..	..	1 993	2 002	..	..	..
Finland	5 000	..	..	..	..	..	..	..	..	..	..	..
Germany	4 000	..	..	..	..	..	..	..	..	..	..	..
India	..	..	10 000	..	..	..	..	..	..	..	..	..
Indonesia	..	..	..	..	2 500	..	..	..	..	..	..	..
Italy	..	4 000	..	10 000	..	..	..	..	..	..	..	..
Jamaica	..	..	..	..	500	..	..	..	..	..	..	..
Japan	..	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000
Libyan Arab Jamahiriya	..	..	..	..	10 000	..	..	..	6 000	..	..	..
Luxembourg	..	..	..	..	..	..	5 934	..	..	..	..	..
Malaysia	..	..	..	..	..	..	..	500	..	..	..	..
Netherlands	..	5 000	..	..	..	..	..	..	..	..	..	..
Nigeria	..	..	..	..	..	..	..	..	..	2 000	..	..
Norway	10 000	10 000	..	..	..	..	..	..	..	73 332	78 762	..
Republic of Korea	..	..	..	..	3 000	..	..	..	..	..	..	..
Saint Vincent and the Grenadines	..	..	..	..	..	..	..	1 000	..	..	..	..
Spain	1 000	..	..	..	..	..	..	..	..	..	..	..
Swaziland	..	..	..	..	760	..	..	..	..	..	..	..
Sweden	5 000	..	..	..	..	..	..	..	..	..	7 997	..
Syrian Arab Republic	..	..	1 000	..	..	..	..	..	..	..	..	..
Thailand	..	..	..	..	..	..	..	1 000	..	..	..	..
Tunisia	..	..	..	..	..	2 000	..	..	2 000	..	..	..
Total	34 500	34 711	32 500	20 500	27 666	12 000	15 934	19 941.85	20 002	85 332	96 759	10 000

[a] Document prepared on the basis of information received by the High Commissioner/Centre for Human Rights.

Annex II

MESSAGE FROM THE PRESIDENT OF BANGLADESH ON THE OCCASION OF INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

The Government and people of Bangladesh join the international community in observing International Day for the Elimination of Racial Discrimination, 21 March 1997.

The observance of the Day is a solemn occasion to pay homage to the victims of racial hatred and to reiterate our commitment to eliminate all forms of racial discrimination. It cannot be overemphasized that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples as well as the harmony of people living side by side even within the same State. Faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small are enshrined in the Charter of the United Nations. There can be no justification whatsoever in today's world for any form of racial discrimination.

On this occasion, we reiterate our total commitment to the principles of the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination as well as the Programme of Action for the Third Decade to Combat Racial and Racial Discrimination. We have every confidence that the international community will continue to act in concert in upholding the inherent dignity and equal and inalienable rights of all members of the human family for preserving and promoting freedom, justice and peace in the world.

Justice Shahabuddin Ahmed
President of Bangladesh

Annex III

NGO DECLARATION ON THE OCCASION OF INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

(21 March 1997)

The non-governmental organizations present at the Open Forum in Geneva on International Day for the Elimination of Racial Discrimination are deeply concerned that, despite the efforts of the international community to eradicate the phenomena of racism, racial discrimination, xenophobia and racially motivated violence, in all their forms and manifestations, they still exist in different forms and affect people in many parts of the world. Judging from racially motivated incidents and the reappearance of racist and chauvinist movements in some parts of the world in recent years, it is clear that racism is not only a persistent problem but a growing one.

We are fully aware that the persistence and growth of racism threaten the stability of societies and undermined the values of tolerance and pluralism. The Internet has become a vehicle for spreading racial intolerance. Eradication of these evil phenomena requires more and more consolidated efforts from all members of the international community as well as concerned international institutions and organizations of civil society.

We are deeply concerned that the main objectives of the past two Decades sponsored by the United Nations to combat racism and racial discrimination were not achieved due to a visible lack of interest and reluctance on the part of States Members of the United Nations to fund the activities envisaged for the Decades. This occurs despite repeated calls and resolutions from the General Assembly, the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities for successful implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, adopted by the General Assembly in 1993.

We highly regret the fact that in his current reports, the Special Rapporteur on Racism, Racial Discrimination, Xenophobia and Related Intolerance states that he continues to face a lack of adequate financial resources to discharge his mandate.

We note with appreciation the successful results of the First and Second World Conferences to Combat Racism and Racial Discrimination in achieving their main objective by the elimination of apartheid in South Africa. A world conference against racism would be a landmark in the combat against this phenomenon in all its manifestations and forms. We fully support the convening of a world conference against racism, because such a conference would give the necessary international momentum to the world community and set out a framework for concrete measures to be implemented nationally and internationally. The convening of a world conference to combat racism and racial discrimination in the near future would send a clear signal of the determination of the world community to deal decisively with the scourge of racism and would be an important opportunity for taking a comprehensive approach and developing action-

oriented strategies to combat racism and racial discrimination. We call upon the United Nations to take the lead for convening this conference at the earliest date and not later than the summer of 1999.